

To: Jewell Harris, Jr[jharris@harrislawfirmmpc.net]; Lang, Annette (ENRD)[Annette.Lang@usdoj.gov]
Cc: Carla Morgan[cmorgan@eastchicago.com]; JNava@echa-in.org[JNava@echa-in.org]; cvincent@echa-in.org[cvincent@echa-in.org]; Chingcuanco, Leonardo[Chingcuanco.Leonardo@epa.gov]; Toney, Marcy[toney.marcy@epa.gov]; Kaiser, Steven[kaiser.steven@epa.gov]; Caudill, Motria[caudill.motria@epa.gov]; Johnson, Mark[johnson.mark@epa.gov]; Berkoff, Michael[berkoff.michael@epa.gov]; Frey, Rebecca[frey.rebecca@epa.gov]; Behnke, Kristina[behnke.kristina@epa.gov]; Benning, Brad[benning.bradley@epa.gov]; Brown, Jaime[brown.jaime@epa.gov]; Ribordy, Michael[ribordy.mike@epa.gov]; Vega, Sonia[vega.sonia@epa.gov]; Borries, Samuel[borries.samuel@epa.gov]; Ballotti, Doug[ballotti.douglas@epa.gov]; El-Zein, Jason[el-zein.jason@epa.gov]; Fischer, Timothy[Fischer.Timothy@epa.gov]; Short, Thomas[short.thomas@epa.gov]
From: Mankowski, Matthew
Sent: Fri 7/15/2016 7:18:25 PM
Subject: RE: Mowing Practices

Hey Everybody:

Brad and I are available at 3:00 pm central if that is okay with everyone.

I will set up the call and the call in number is:

877-226-9607

Code – 8011961410

Matt Mankowski

USEPA

Region 5 Superfund Division

Emergency Response Branch #1

Chief Emergency Response Section #2

Office: 312-886-1842

Cell: 312-405-7242

From: Jewell Harris, Jr [mailto:jharris@harrislawfirmnpc.net]
Sent: Friday, July 15, 2016 2:12 PM
To: Lang, Annette (ENRD) <Annette.Lang@usdoj.gov>
Cc: Carla Morgan <cmorgan@eastchicago.com>; JNava@echa-in.org; cvincent@echa-in.org; Chingcuanco, Leonardo <Chingcuanco.Leonardo@epa.gov>; Toney, Marcy <toney.marcy@epa.gov>; Kaiser, Steven <kaiser.steven@epa.gov>; Caudill, Motria <caudill.motria@epa.gov>; Johnson, Mark <johnson.mark@epa.gov>; Berkoff, Michael <berkoff.michael@epa.gov>; Frey, Rebecca <frey.rebecca@epa.gov>; Behnke, Kristina <behnke.kristina@epa.gov>; Benning, Brad <benning.bradley@epa.gov>; Brown, Jaime <brown.jaime@epa.gov>; Mankowski, Matthew <mankowski.matthew@epa.gov>; Ribordy, Michael <ribordy.mike@epa.gov>; Vega, Sonia <vega.sonia@epa.gov>; Borries, Samuel <borries.samuel@epa.gov>; Ballotti, Doug <ballotti.douglas@epa.gov>; El-Zein, Jason <el-zein.jason@epa.gov>; Fischer, Timothy <Fischer.Timothy@epa.gov>; Short, Thomas <short.thomas@epa.gov>
Subject: Re: Mowing Practices

Understood. I will make myself available for whatever time gets coordinated by the parties.

Jewell Harris, Jr., Esq.

HARRIS LAW FIRM, P.C.

www.harrislawfirmnpc.net

Sent from my iPhone

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On Jul 15, 2016, at 2:10 PM, Lang, Annette (ENRD) <Annette.Lang@usdoj.gov> wrote:

Thanks, Jewell.

Just so there is no confusion, folks from the removal branch were on the call, including Jason and Matt. Having just now communicated with Jason, he does believe that a call this afternoon would be useful provided that Brad is on the call.

So, Matt, if you could work with Jason and Brad to set up the time and call-in number, that would be great.

Annette

From: Jewell Harris, Jr [<mailto:jharris@harrislawfirmnpc.net>]
Sent: Friday, July 15, 2016 3:04 PM
To: Carla Morgan <cmorgan@eastchicago.com>
Cc: Lang, Annette (ENRD) <ALang@ENRD.USDOJ.GOV>; JNava@echa-in.org; cvincent@echa-in.org; Leo Chingcuanco (Chingcuanco.Leonardo@epa.gov) <Chingcuanco.Leonardo@epa.gov>; Marcy Toney (toney.marcy@epa.gov) <toney.marcy@epa.gov>; Steven Kaiser (kaiser.steven@epa.gov) <kaiser.steven@epa.gov>; Caudill, Motria <caudill.motria@epa.gov>; Mark Johnson (johnson.mark@epa.gov) <johnson.mark@epa.gov>; Michael Berkoff (berkoff.michael@epa.gov) <berkoff.michael@epa.gov>; rebecca frey (Frey.Rebecca@epamail.epa.gov) <Frey.Rebecca@epamail.epa.gov>; behnke.kristina@epa.gov; benning.bradley@epa.gov; brown.jaime@epa.gov; mankowski.matthew@epa.gov; ribordy.mike@epa.gov; vega.sonia@epa.gov; borries.samuel@epa.gov; Doug Ballotti (ballotti.douglas@epa.gov) <ballotti.douglas@epa.gov>; El-Zein.jason@epa.gov; Fischer, Timothy <Fischer.Timothy@epa.gov>; short.thomas@epa.gov
Subject: Re: Mowing Practices

Carla:

I just finished up a very lengthy call with Annette. The issue of mowing was discussed in

enough detail that I believe Annette would agree that we no longer need to have a cal on this subject.

Jewell Harris, Jr., Esq.

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On Jul 15, 2016, at 1:51 PM, Carla Morgan <cmorgan@eastchicago.com> wrote:

Annette:

ECHA staff who are involved in the issue of mowing are available for a conference call regarding mowing practices today between 2 and 4 pm CST. The mowing contractor can participate if a conference call number and specific call time is provided.

•■■■■■■■■ Manager of West Calumet Housing Complex: Judy Nava [JNava@echa-in.org]

•■■■■■■■■ Procurement Manage: Chris Vincent [cvincent@echa-in.org]

Please confirm the time of the call, provide the conference call number which should be used, and the names of participants.

Thank you,

Carla

Carla Morgan

City Attorney

City of East Chicago

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email: CMorgan@EastChicago.com

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From: Lang, Annette (ENRD) [<mailto:Annette.Lang@usdoj.gov>]

Sent: Thursday, July 14, 2016 7:11 PM

To: Bryan.Keyt@bryancave.com; Carla Morgan; Jewell Harris (jharris@harrislawfirmmpc.net); Nick Snow (nick@harrislawfirmmpc.net)

Cc: Leo Chingcuanco (Chingcuanco.Leonardo@epa.gov); Marcy Toney (toney.marcy@epa.gov); Steven Kaiser (kaiser.steven@epa.gov); Caudill, Motria; Mark Johnson (johnson.mark@epa.gov); Michael Berkoff (berkoff.michael@epa.gov); rebecca frey (Frey.Rebecca@epamail.epa.gov); behnke.kristina@epa.gov; benning.bradley@epa.gov; brown.jaime@epa.gov; mankowski.matthew@epa.gov; ribordy.mike@epa.gov; vega.sonia@epa.gov; borries.samuel@epa.gov; Doug Ballotti (ballotti.douglas@epa.gov); El-Zein.jason@epa.gov; Fischer, Timothy; short.thomas@epa.gov

Subject: Mowing Practices

Counsel:

Brad Benning remains available for a meeting (as mentioned in my July 11 email) with the City, ECHA and, if applicable, the WCC's mowing contractor, regarding mowing practices at the WCC. For your information, I have attached a picture taken on July 5 by ATSDR personnel that shows the problem of bare soil circulation during mowing.

In the absence of a meeting, EPA requests that the City, ECHA, and/or the mowing contractor put the following mowing practices in place immediately to reduce the spreading of soil into the air:

- (1) Mow less frequently: no more than once every two weeks
- (2) Elevate the mower blade to 3 inches
- (3) Avoid mowing over generally bare spots
- (4) Avoid mowing over the mulch

Earlier this week, EPA personnel were advised that City employees do the mowing. As you are aware, Carla, in a call late this afternoon, you indicated that you had heard that an ECHA contractor does the mowing. If all of you counsel could confirm for us who does the mowing, we would appreciate it.

We look forward to hearing from the City and ECHA regarding this request and EPA remains available to answer questions and provide assistance.

Annette

Annette M. Lang

Senior Counsel

Environment and Natural Resources Division

Department of Justice

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